



TFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/729,040

Filing Date 12/05/2003

First Named Inventor Kai Desinger

Art Unit 3739

Examiner Name

Attorney Docket Number 3002

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Communication; Preliminary Amendment; Application Data Sheet; and Return Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BECK & TYSVER, P.L.L.C.		
Signature			
Printed name	Stephanie J. James		
Date	7/20/05	Reg. No.	34,437

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Mary S. Keller	Date	7-20-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



10/729,040

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kai Desinger et. al	Examiner:	
Serial No.:	10/729,040	Group Art Unit:	3739
Filing Date:	December 5, 2003	Docket No.:	3002
Title	Probe Arrangement		

Date of Deposit: 7-20-05

I hereby certify that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Signature:

Mary S. KellerPrinted Name: Mary S. Keller

COMMUNICATION

Commissioner for Patents
Alexandria, VA 22313

In response to the Decision Dismissing Petition of May 20, 2005, the Applicant submits herewith an Application Data Sheet containing the priority information with regard to DE 101 28 701.1 and PCT/EP02/05778. Accordingly, the Applicant respectfully requests reconsideration of Applicant's Petition of December 9, 2004, requesting an acknowledgement of Applicant's claim to priority to PCT/EP02/05778.

In addition, the applicant includes a Second Preliminary Amendment to modify the first sentence of the application to address priority to PCT/EP02/05778, but not to DE 101 28 701.1.

Respectfully submitted,
EISENFÜHR, SPEISER & PARTNER
By its attorneys:

Date:

7/20/05

Stephanie J. James
Registration No. 34,437
Beck & Tysver, P.L.L.C.
2900 Thomas Ave., #100
Minneapolis, MN 55416
Telephone: (612) 915-9636
Fax: (612) 915-9637